

Alternative Market Values? Interventions into Auctions in Aotearoa/New Zealand

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Auction houses provide a public staging ground for the contestation and convergence of different conceptions of value, understandings of exchange, and complex political relationships. In this article, I examine some auctions in Aotearoa/New Zealand, focusing especially on a series of key interventions into the marketplace by Māori people.¹ Political, and increasingly economic, life in Aotearoa/New Zealand is framed by the ideology of biculturalism, devised by a predominantly nonindigenous government to recognize their contractual obligations to Māori.² Despite the recognition that this polarized worldview contains increasing numbers of fractures (eg, see Williams 2005a, 2005b, 2006), biculturalism is a model of holistic governance that in turn depends on conceptually incompatible models of culture. Here, I unpack one particular tension—between ideological models that hold understandings of indigenous and nonindigenous culture apart and market practices that fuse them together—that emerges from this framework. I focus on how, in Aotearoa/New Zealand, commodity exchange, as well as the broader political economy, is profoundly connected to indigenous entitlement (and indeed sovereignty), contributing to both its extension and to its limitation.³

Some interesting analytical and empirical tensions around the market emerge in Aotearoa/New Zealand that may be used to complicate our understanding of “free-market” exchange much more generally. Māori gift exchange has been used by anthropologists and other scholars to represent a paradigmatic alternative to commodity exchange, which, unlike the latter, is seen as generative rather than disruptive of social relations (see, eg, Mauss 1990; Firth 1959; Strathern 1988; Weiner 1992; Graeber 2001; Miller 2001). At the same time, the cohabitation of diverse communities of people of Māori, Pacific Island, Asian, and European descent has

engendered intense public debate about whether society should be conceived in bi- or multicultural terms, and how such models should be used as a basis for social, political, and economic development. In turn, even with its progressive social discourse and a seeming willingness to incorporate ideas about cultural alterity into the heart of governance, Aotearoa/New Zealand is also a nation that has embraced privatization and neoliberal economic theory to a degree perhaps unprecedented elsewhere. As economist John Kay has commented in a book titled *The Truth about Markets: Their Genius, Their Limits, Their Follies*: “No country has modeled its policies more deliberately on the American business model—applause for self-interest, market fundamentalism, and the rolling back of the redistributive functions of the state—than New Zealand after 1984, not even the United States” (2003, 45).

Here, I describe some spectacular performances of value inside the auction market for Māori antiquities in Aotearoa/New Zealand. Rather than accounting for the everyday workings of the marketplace, I focus on several widely publicized interventions into auctions by a number of different Māori interest groups. These events, among others, have greatly impacted the “business-as-usual” practices of the market, reshaping market discourse and altering the terms of engagement between dealers and collectors, and Māori activists and museum curators. Emerging in the context of European mercantilism in the seventeenth and eighteenth centuries, art auctions have come to stand as tangible exemplars of the “free market” that so pervades everyday discourse and economic rhetoric around the world (see Geismar 2001). Record-breaking sales of paintings by Klimt or Van Gogh continue to draw baffled speculation about the ephemeral, yet very real, nature of value (see, eg, Velthuis 2005). The sale of Māori artifacts at auction has been swept up into a wider and increasingly expansive debate about the definition of Māori property and the subsequent boundaries of entitlement, in both national and international spheres of exchange. Among the salient contexts for this process are the ways in which museums and museum curators have become border negotiators between divergent interest groups and models of value that in turn circulate around these special objects.⁴

AUCTIONS AND EXPECTATIONS

The semblance of a community that auctions illuminate makes them a good starting point for ethnographic research. Jean Baudrillard described

auctions as ideal markets, “crucibles of values” and places in which ideologies and economies are negotiated within a particular matrix of space and time (1981, 112). It is the seemingly public nature of transaction that supports many people’s assertions that auctions are ideal marketplaces (Smith 1989), even though the inevitable behind-the-scenes subterfuge, coupled by the use of proxy, telephone, and online bidding immediately complicates this notion of transparent community (Geismar 2001). At the same time, because auctions are freely open to the public, and because certain attitudes, reactions, and transactions can be read by merely being there, an anthropologist is allowed an entry point into a world marked by closed doors, secrecy, and conservatism.

The art business, which Pierre Bourdieu described so perfectly as “the sale of things which have no price” (1993, 75), exposes how a disavowal of commercialism is at the heart of creating commercial value for objects defined primarily in terms of their uniqueness, authenticity, and priceless-



FIGURE 1. *Christie's Auction Room, 1808*. An auction of paintings. Drawn and engraved by Augustus Pugin and Thomas Rowlandson. Aquatinted by J Bluck. © The British Library Board. All Rights Reserved. Reproduced with permission.

ness (see also Steiner 2001; Velthuis 2005). As a commodity, then, art seems to be extremely *unlike* a commodity. Rather than thinking about what this can tell us about art, I ask here, what can this tell us about commodities and the market much more generally?

Art auctions are simultaneously exemplary of ideal markets and values, and of the irony, paradoxes, failures, idiosyncrasies, cults of personality, fashions, intrigues, deceits, politics, and rhetoric that make markets work. The auction market may be conceptualized as a border zone, foregrounding “the unresolvable oscillations, the restless toing-and-froing, and the cultural, commercial, and political crossings” that produce value (Spyer 1998, 1). Similarly, auction market participants may be understood as border negotiators between competing understandings of value and exchange (see Baker 2007). As Charles Smith noted in his authoritative volume on the topic, auctions are “social processes capable of defining and resolving inherently ambiguous situations, especially of value and price” (1989, 4). For Smith, auctions provide resolutions, in the form of prices, for many of these tensions. For the purpose of my study, I look at how auctions can open up, as well as cement, cracks between diverse understandings of value.

In an earlier article (Geismar 2001), I examined the equation between price and value production at tribal arts auctions, asking, “What’s in a price?” in relation to the international sale of “Oceanic art,” an international category that generally includes Māori art and artifacts.⁵ I described the lengthy process that underpins the procedure of bidding. The moment of sale is an exquisite ballet of negotiation, knowledge exchange, and sometimes corruption between collectors, dealers, auctioneers, academics, curators, and others, taking place over a lengthy period, from the production and display of the auction catalog to the musings between vendor and auctioneer about estimates and reserves, and from the social gala of the auction preview to the breathless theater of the sale itself. The eventual price a piece will achieve at auction depends on much more than just the sale itself, and the continued negotiations embodied in prices have a lasting impact on the assignation of future prices and values. It is also important to realize that auctions do not always end in sales—pieces may be “passed over” (remain un-purchased) and even bought back by their owners through complex market machinations. It is this potential for failure and subversion in the marketplace that I focus on here.

One of the examples I focused on in my earlier study was the 1998 sale at Sotheby’s New York of a “Magnificent Māori Figure,” a poutokoma-

nawa (the central support post of a meeting house) from Heretaunga, the Hawkes Bay region of Aotearoa/New Zealand, collected by Archbishop William Williams around 1870 (Geismar 2001, 35–36). The auction house went to great lengths to promote the figure, placing several full-page color images in the catalog alongside an academic essay by Terrence Barrow, who was identified as an “authority” on Māori art. In addition, Sotheby’s arranged for a tour of the carved ancestor figure around galler-

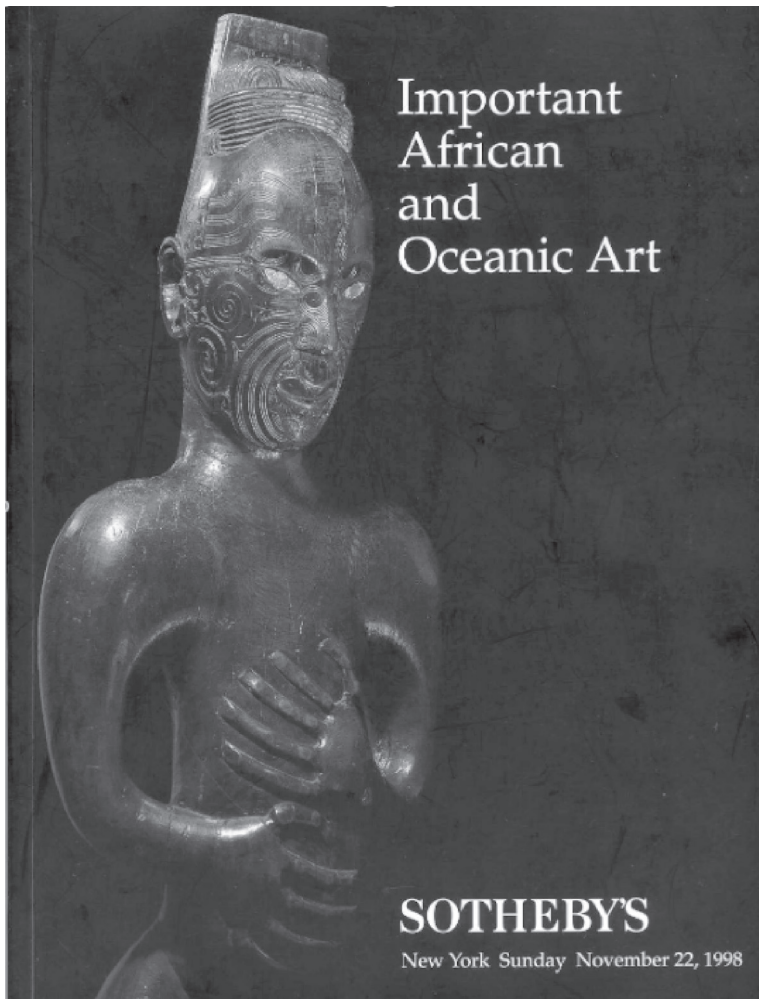


FIGURE 2. The front cover of the Sotheby's catalog from November 1998 showing the Williams poutokomanawa. Reproduced with permission.

ies in Australia (tellingly, Aotearoa/New Zealand was excluded from the tour) before taking it to New York for the sale. Just prior to the auction, Sotheby's organized a symposium entitled "Oceanic Art: Collecting and Elements in Connoisseurship," inviting curators and academics to speak to a gathering of prominent collectors and dealers.

The figure was sold to an anonymous bidder on 22 November 1998 at its asking price of US\$1,000,000 (US\$1,102,500 including all premiums), which at that time was the highest price ever achieved at auction for an object from the Pacific (excluding contemporary Aboriginal Australian art). The carving is now on display in a prominent Midwestern US museum. The transaction was much feted in the media as a watershed moment in the market for Oceanic art. After many years of lagging behind the market for the "tribal art" of Africa and the Americas, Oceanic art finally seemed to be getting recognition as a serious investment. Indeed, since 1998, prices for "archetypal" Oceanic collection items—such as New Caledonian bird clubs, New Guinean shields, Hawaiian calabashes, Fijian clubs and whale tooth necklaces, and especially Māori pieces, predominantly figurative carvings, feather cloaks, wooden treasure boxes, and greenstone clubs and pendants—have risen exponentially around the world. As one journalist from Aotearoa/New Zealand commented, "forget the plunging share-market—today's hottest investment could be Māori artifacts" (Ninness 2002).

But was the sale of the "Williams" poutokomanawa the success it really seemed to be? In contrast to the fierce bids around the highest-selling pieces of African, Australian, and American artifacts, the poutokomanawa was sold to a single absentee bidder, at the lowest possible price—the reserve (the minimum price for which the piece could be sold). While the price itself may have been unprecedented, all the efforts by the auction house to promote the piece failed to generate significant competition among collectors. One commentator noted, "The auction house presumably thought it would fetch an even higher price as the auctioneer took a very long time to knock it down" (Horsley 1998). After the sale, the vendor, Dr Woog, a Swiss medical equipment inventor, publicly expressed his dissatisfaction at the outcome. Resident expert Terrence Barrow commented to the press that Dr Woog "was extremely disappointed and thought it would fetch two or three million dollars" (*Press* 1998). Indeed, in 1992 Dr Woog had offered the piece to the National Museum of New Zealand, asking considerably more than it eventually sold for at Sotheby's. His offer was rejected.

The sale of this and other pieces and the subsequent rise of international prices have provoked increasing disquiet in some circles in Aotearoa/New Zealand. Prior to the 1998 auction, Arapata Hakiwai of the Museum of New Zealand Te Papa Tongarewa commented to the press that the museum had refused to bid for the piece: “Our role is to assist the iwi [tribal groupings]. The last thing we want to be doing is being involved in inflating the market.” A Māori Member of Parliament, Rana Waitai, also commented: “Two million dollars was a scant figure compared to its value to the people of Kahunga.” He described Sotheby’s as “a tarted up, unscrupulous shark that was legally pawning off cultural treasures” (all quoted in Howard 1998, 2). Instead of the museum purchasing the piece, there was a general call for the poutokomanawa to be repatriated to Aotearoa/New Zealand as an important piece of Māori cultural property. The refusal of Māori museum workers and political authorities to participate in or endorse the sale of the figure has had broader impact on the market that should not be underestimated. Some of the more sensationalistic headlines in local media concerning controversial auctions of Māori artifacts included the following:

- “Tiki Fetches Ka Pai Price”
- “Maori Artworks Driven Underground”
- “Maori Artifacts Fetch Top Dollar”
- “Price Tag for Pataka May Be in Millions”
- “Maori Want First Option on Artifacts”
- “Museums, Maori Shut Out of Artifact Bidding”
- “Sotheby’s Blackmail Maori Culture”
- “Tainui Wants Clubs Back Not Auctioned in New York”

The questionable success of the sale and commoditization of the poutokomanawa, is a provocative starting point for interrogating the ways in which the marketplace has infiltrated ideas about cultural value, in addition to an investigation of the ways in which cultural values pervade the marketplace. Even though the sale of the poutokomanawa amounted to a million dollars, it was not considered to be a success by its original owner. What does this tell us about the forms of value established through such market exchanges? Did the sale open up a space for alternative models of value and evaluations of the market as much as it opened up a new market to a new category of collector? How do divergent understandings of value publicly engage with one another in the marketplace, and what happens after that?

MĀORI IN THE AUCTION HOUSE

The Aotearoa/New Zealand auction market provides an interesting point of comparison to the transnational ventures of auction houses such as Sotheby's and Christie's. In contrast to places like the United Kingdom and the United States, in Aotearoa/New Zealand the auction market for antiquities is subject to a much greater degree of state intervention and accountability. Furthermore, in the Aotearoa/New Zealand context there is a history of Māori intervention into auctions. For instance, on 31 March 1996, John Turei, a Tūhoe kaumatua (elder), made an impassioned speech at the start of an auction at Webb's auction house, asking private collectors not to bid for a native pigeon cloak dating from the 1870s. Mr Turei had been approached by both the Rangitāne tribe and the National Museum of New Zealand to do what he could to ensure that the cloak would not be sold to private collectors. The cloak was locally well known, having been passed down through one family until its last owner decided to sell it at auction. After John Turei's protest, the cloak was sold to the museum for NZ\$13,000 with no competition; Mr Turei's speech was evidently successful in deterring private collectors from competitively bidding for the piece. Auctioneer Peter Webb said he had agreed that Mr Turei could make a speech before the auction proceeded. He commented, "Ordinarily, we would have expected that cloak to fetch \$20,000 plus . . . [now] there is a real risk of frustrated private owners preferring to risk smuggling them out of the country to sell them on international markets" (quoted in Sheeran 1996, 1). This case provides a good example of the ways in which Māori are able to enter auction salesrooms, assert customary authority, affect public opinions about the process of commodity exchange, and influence the outcome of sales. It also highlights the increasingly pivotal roles that museums play in determining the nature of these transactions.

At the same time, quantitative economic analysis (and anecdotal evidence) has shown how, despite the potential controversy of selling important taonga, over the past ten years prices in the market in Aotearoa/New Zealand have risen at rates much faster than those in the international market (Hambleton 2004, 4).⁶ Rather than limiting circulation and depressing prices, stringent regulation and political activism have ensured that many of the best taonga remain in the country, have contributed to

the development of a knowledgeable collector's market mediated by curatorial authorities, and have raised market prices (Hambleton 2004, 5).

In the context of such social and institutional market regulation, as highlighted in the case above, the sale of taonga at auction at first glance discursively polarizes models of value around such cultural properties. Like many indigenous peoples, some Māori hotly contest the rights of dealers and auctioneers to trade and assign prices to objects that they consider a priceless part of their cultural heritage. Indeed the sale of taonga at market is often described as antithetical to traditional forms of exchange, which are embedded in social relations of reciprocity and gifting. While the cultural identity of Māori artifacts is intensely exploited by dealers in the marketplace to increase prices, many dealers and collectors claim a connection to such taonga as part of the broader "national" heritage. Some Māori increasingly enter the market on their own terms, as both buyers and sellers, while dealers frequently assert that the artifacts they trade in were initially transformed into commodities by Māori people themselves. My conversations with Pākehā dealers and collectors highlighted the degree to which they may also be invested in the "cultural" value of taonga, and that pricing itself reflects a complicated understanding of such cultural and symbolic values. Business-as-usual, outside of the more spectacular events I describe here, consists of a small group of dealers, collectors, and curators entering the public space of the auction house to legitimate (or in some instances, delegitimate) the cultural identity of Māori artifacts on sale. During my research, I was very struck by the similar ways in which Pākehā dealers and collectors on the one hand, and Māori activists and curators on the other, talked about the objects on sale. They often used the same tones of awe and reverence, and made the same references to the spiritual powers of particular artifacts. Both groups shared many anecdotes with me about particular pieces causing harm to the people who had bought them, in several cases even bringing about their death, due to the powers of the taonga and the questionable suitability of the purchasers. Certainly, Māori understandings about the agency and power of taonga extend across the fault lines of biculturalism, in rhetoric at least. And it is widely recognized that these stories, the *kōrero* that give taonga their key identities, are also a crucial part of their value in the marketplace.

What at first glance seems to be a clearly delineated social, political, and economic space with Māori on one side and Pākehā on the other thus turns out to be infinitely more complex. The auction salesroom is a

paradoxical space in which multiple perspectives may coexist and influence one another, continually reconfiguring prices and understandings of ownership. The staunch resolve of many Māori to publicly bring their own models of value into the auction house has had a powerful effect on the prices artifacts sell for, not only nationally, but also, as the case of the Williams poutokomanawa demonstrates, on the international auction market. Despite a vehement language of opposition, the exchange of taonga draws together multiple constituents and diverse understandings of value.

The sale of Māori artifacts has also long been an arena through which the New Zealand government has constructed definitions of national as well as indigenous cultural heritage (Cory-Pearce [2006]). The movement of all cultural property in Aotearoa/New Zealand, including the market for Māori artifacts, is constrained by the Protected Objects Act 1975, which in August 2006 amended the Antiquities Act 1975. Despite its ostensible focus on all antiquities, now defined as any object more than fifty years old, this legislation was enacted specifically to establish and record the ownership of Māori artifacts and to control their sale both in and outside the country.⁷ Indeed, the amended act has a special category for Māori artifacts—taonga tūturu—and most of the amendments are concerned with the transaction of objects now explicitly defined as taonga.⁸ The three auction houses in Aotearoa/New Zealand—Dunbar Sloane, Webb's, and Cordey's—hold annual "artifacts" sales that sell primarily Māori objects, often alongside a small number of Pacific Islands objects. Despite being subject to similar legislation in theory, antiquarian books, furniture, and other "European" artifacts are sold separately, and rarely encounter the kinds of contestation that surround sales of Māori pieces.

The Protected Objects Act 1975 emerged out of a number of concerns regarding the need to protect cultural property and restrict the trade of national heritage. Despite the act's increased focus on the specificity of Māori material culture, like all national legislation it subsumes Māori artifacts under the broader category of national cultural heritage, to be either managed by the Crown or owned by private citizens of Aotearoa/New Zealand rather than anywhere else. Importantly, some Māori contest the relegation of their cosmologies, property claims, and understandings of value and entitlement to minority status in the wider national context. For example, to supplement the protective mechanisms of the Antiquities Act 1975, Member of Parliament for Northern Māori Tau Henare pro-

posed the Taonga Māori Protection Bill in 1996. This private member's bill (which has not become law but the spirit of which fed into some of the amendments made to the Antiquities Act) was intended to supplement the act in radical ways, including proposals to audit state institutions to ensure the protection of taonga in their collections, and to establish a taonga Māori register for objects abroad, with the eventual aim of repatriating them to Aotearoa/New Zealand. The Taonga Māori Protection Bill was specific where governmental regulation was generic. The bill advocated that Māori culture be viewed as exceptional, rather than as the symbolic capital of a national cultural commons, and encapsulated popular Māori sentiment about controlling, and restricting the trade in taonga. It also spearheaded a provocative critique of practices of dealing and collection.

The antiquities market more generally is now highly regulated, again in contrast to the expectations placed on collectors and dealers in Europe and the United States. As it currently stands, the Protected Objects Act requires that all dealers of antiquities found before 1976 must be licensed, and all collectors of registered artifacts must be ordinarily resident in Aotearoa/New Zealand, must declare any prior police records, and must themselves be officially registered with an authorized museum in their area. Collectors and dealers are supposed to notify the Ministry for Culture and Heritage and the Museum of New Zealand Te Papa Tongarewa, which houses the artifact registry, when they sell a piece or relocate their operations to new premises. Theoretically, it should be possible to trace any registered artifact to its location in the country. It is hard to imagine such government surveillance being tolerated by wealthy collectors in New York, London, or Paris. The small number of auction houses (three), dealers (nineteen currently listed on the government Web site, although the number of illicit traders is unknown), and collectors (around 3,000) mean that all those with a serious interest in either trading or collecting Māori artifacts are well known to one another, making open market activities relatively easier to track.⁹ It is this tightly knit community, marked by an enthusiasm for trading Māori artifacts in such a heavily politicized environment, that has created a market in which prices at auction are often higher than those of New York, Paris, or Brussels, even taking into account the relative weakness of the New Zealand dollar. Indeed, one dealer was only half joking when he commented to me that he smuggles objects *into* Aotearoa/New Zealand.

Such specific national regulation of the marketplace therefore gives a good deal more public and institutional knowledge about both artifacts

and persons involved in the market than is usually available to a researcher. Unlike other markets where dealers reign supreme, in the antiquities marketplace museum curators are the arbiters. They are required by law to examine and register all objects prior to sale; therefore it is often up to them to determine or confirm which artifacts are in fact worthy of being called “protected objects.” Curators also manage and maintain the registry of artifacts, and increasingly enter the marketplace as buyers for their institutions, as well as acting as advisers to communities wishing to enter or intervene in a particular sale. In doing so, curators must juggle numerous responsibilities—as potential buyers in a market in which their institutions are rapidly being priced out, as connoisseurs, as scholars, and as guardians of cultural heritage. All of these roles come together in the decisions curators make to authenticate objects as *taonga tūturu*. Unlike art markets in other places, in which museums often give symbolic and institutional validation to particular objects that emerge on the market while maintaining an institutional separation, in Aotearoa/New Zealand, curators are increasingly required by law to “get their hands dirty” in the processes of valuation and exchange.

TAONGA OR COMMODITY? OR IS THAT THE QUESTION?

Given the complex economic, political, and discursive framework that I have been outlining, how can we develop a language that adequately describes the complexity and paradox of biculturalism in relation to the market, and that acknowledges the emergence of oppositional rhetoric without being forced to use it as an analytic framework? Despite their rhetorical opposition, the concepts of *taonga* and commodity seem to be endlessly expansive. In reality, almost anything has the potential to be either. However, unlike *taonga*, which are usually considered to be irrevocably *taonga*, commodities are commonly considered to constitute a particular phase in the life history of an object (see Appadurai 1986; Kopytoff 1986). In this way, commodities are commonly defined in negative terms, as entities—often part of “chains” of like entities—whose economic value transcends or obscures their cultural value, entities that are alienable rather than inalienable, defined by market exchanges rather than social relations.

More recently, however, particular attention has been paid to the ways in which commodities are also “things,” thus putting the substance back into analyses of the form of exchange. Peter Stallybrass brilliantly

described how Karl Marx's awareness of the complex commodity status of his overcoat—which he had to repeatedly pawn and buy back while he was working at the British Library, writing about commodity fetishism—informed his understanding of the fundamental tensions inherent between the commodity-as-thing and the commodity-as-exchange value (Stallybrass 1998). Similarly, Martin Holbraad's discussion of the use of money in Cuban divination highlights how it is the very multiplicity or the abstracted and generic qualities of money that give it great power in Ifa rituals (2005; see also Maurer 2005).¹⁰ Commodities are thus not merely ciphers for ideas about value located elsewhere; they are also material forms that influence forms of market exchange, even as they are engendered by them. Commodity exchange, like gift exchange, is nuanced and affected by the kinds of things being circulated as well as by the relations that surround them. In short, commodities are somewhat like gifts (see Gell 1992; Miller 2001), and as ideological forms both delineate and transcend their own materiality.

The critique of our generic thinking about commodities has long existed in Aotearoa/New Zealand (see Mauss 1990 [1925]). Because the category of *taonga* clearly articulates the mediation between materiality and mode of exchange, it might serve us well in thinking about commodities. *Taonga* is a Māori term that may be used as a substitution for a number of English words including “antiquity,” “property,” “valuable,” and as I am trying to suggest here, “commodity.”¹¹ The word *taonga* is usually translated to mean highly prized artifacts, valuables, or treasures (Mead 1990), but from a Māori perspective it also has several other uses and meanings, including cultural heritage (Māoritanga), cultural and intellectual property (*taonga tuku iho*), and art (*taonga whakairo*).¹² Hirini Mead described all *taonga* as united by being filled with the *ihi* (power), *wehi* (awesomeness), and *wana* (authority) of the ancestors (1990).¹³ Embedded in specific genealogies (*whakapapa*) and tribal stories and histories (*kōrero*), and inalienably connected to named people and places, *taonga* are manifestations of important connections and relationships between land and people, and between generations, as mediated by the ancestors. As curator Paul Tapsell commented: “A *taonga* is any item, object or thing which represents a Māori kin group's ancestral identity with their particular land and resources. *Taonga* can be tangible, like a greenstone pendant, a geothermal hot pool, or a meeting house, or they can be intangible, like the knowledge to weave, to recite genealogy, or even the briefest of proverbs. As *taonga* are passed down through the generations they become more

valuable as the number of descendents increase over time" (2000, 13). Taonga are more than just "things," because they embody complex webs of relationship that link stories, people, and places. Taonga are defined not only as specific forms, tangible or intangible, but also by the engagement of specified forms within encapsulating webs of Māori relationships and histories. Tapsell defined taonga as a "contextual metalanguage" that is expansive and holistic, incorporating many different forms (1997, 325). This "contextual diversity" allows taonga to travel in many different trajectories without losing their key identities (Tapsell 1997, 359).

Like commodities, then, taonga are defined biographically. However, unlike commodities, taonga are increasingly perceived as having a permanent identity—one that is fundamentally defined in relation to Māori cultural identities. Taonga, have always been connected to the establishment of hierarchies of entitlement, mediated by the process of legitimation afforded by Māori identity politics, and forged by genealogies in practice. The concept of sovereignty is therefore salient to that of taonga, and it is this connection that I argue is extremely beneficial in understanding commodities: Commodities may also be defined as the entanglement of forms with sovereign rights to exchange, contain, control, profit, and so on. Part of the still-prevailing myth of the free market is that it is "disembedded" from social and political structures and that it is able to absolutely transcend these structures of sovereign entitlement (see Polanyi 1944).

In present-day Aotearoa/New Zealand, Māori sovereignty is formally explored through the Waitangi Tribunal, founded in 1975 as a non-judiciary, permanent, and advisory body of inquiry and redress aimed at upholding the foundational document of the state, the Treaty of Waitangi, which was signed in 1840 by representatives of some but not all Māori tribes and the Crown. The treaty, which made the country a British colony, consists of two texts, one in Māori and one in English.¹⁴ Key to much debate in the present day are the political problems raised by the translation between the English and Māori versions of the treaty. In the Māori version, the treaty promises to uphold the absolute authority, or sovereignty, of the Māori chiefs over their lands, living places, and *ō rātou taonga katoa*, translated as "those things which Māori deem valuable and wish to retain."¹⁵ The English version glosses this concept simply as "valuables." While some Māori continue to argue that the treaty gives the British rights of governance but not of sovereignty, it is generally agreed that taonga are the very substance of sovereignty. The limits of sovereignty are thus often contested in relation to the definition of taonga. Just as

there are debates over the ways in which the US Constitution should be interpreted by law, there are originalists in Aotearoa/New Zealand who argue that the definition of taonga should be restricted to the sense of the term when the treaty was drafted, and contextualists who argue that the term should be expanded to include new forms of resources and property, including recently discovered intellectual properties, such as patents for genetic material, rights to fisheries and the radio spectrum, and so on (see Solomon 2005).

Many of these contestations are dealt with pragmatically through recourse to the epilogue of the treaty, which acknowledges that all parties are in agreement as to its general spirit. In recent years, Parliament has chosen to refer to the overriding principles of the treaty, rather than to its more literal content.¹⁶ Yet, despite the ambiguities of translation it is increasingly apparent that ideas about taonga are deeply embedded in national debates about property rights more generally. It is here that thinking about taonga overlaps most specifically with thinking about commodities. While it may seem self-evident that taonga are enmeshed in discourses of Māori sovereignty, the same is true of commodities around the world—for instance, look at the political crises and issues of sovereignty that have emerged in recent decades over the trade of oil. Indeed, the sovereignty of property is such a hot topic that it tends to be analytically negated. For example, Michael Brown's book, *Who Owns Native Culture?* (2003), employs the notion of a global cultural commons as a counterbalance to the property claims of indigenous rights movements, disingenuously assuming that these two domains share equal authority or global power. While many of these claims obviously have political motivations, Brown's underdefined concept of a global cultural commons sounds like a modern-day version of terra nullius (unclaimed or empty land), that old ideological justification for a colonial sovereignty grab. As Marilyn Strathern has commented, "When they think of the commons as a natural resource, Euro-Americans may imagine it as a domain free from people's inventiveness, and ideally perhaps even empty of people altogether" (2005, 109). The net effect of this kind of discourse, and the discussion of "authenticity" it contains, is that many indigenous sovereignties and property claims are negated in the interest of more powerful stakeholders.¹⁷

In Aotearoa/New Zealand, categories of taonga and commodity increasingly encircle one another, and the dichotomies between the two are increasingly complicated. For instance, at first glance, the art market seems to be immediately disruptive of Māori people's relationship to

taonga for three reasons: because the market seems to break down the chain of intergenerational transaction and reciprocity (*utu*) that mark the customary movement of taonga within and between communities; because the market is a context that, while relying on the inclusion of as many Māori artifacts as possible, has tended to include relatively few Māori people—very few dealers or collectors (barring the important category of museum curators) of taonga are Māori; and because most people tend to (mistakenly) view market and commodity exchange as singular transactions of objects taking place at particular locations and times, rather than as a configuration of ongoing social and political relationships.

However, as more Māori enter the marketplace we can see that rather than being antithetical to Māori cosmology, the concept of taonga—like that of commodity—is becoming a strongly regulating institutionalized category, which establishes a particular form of exchange and form of entitlement. Māori may use the marketplace to expand the definitions of taonga and commodity, increasingly merging them together in successful forms of intervention. In the remainder of this article, I focus on unraveling how this happens.

INTERVENTION FROM WITHIN

I will describe two kinds of intervention into the market for taonga in Aotearoa/New Zealand, one activist and community based, and one institutional and museum based. The two cases that follow deal with the substance of trade and with the form of exchange respectively indicating how taonga may be understood both as forms of commodity and forms of commodity critique.

Ken Mair and Partington's Photographs of Whanganui Māori

On 22 September 2001, a group of activists from Whanganui led by Ken Mair disrupted the sale at Webb's auction house of 300 images taken of Whanganui Māori in the late nineteenth century by studio photographer W H T Partington. At one stage, Mair took over the microphone and made intimidating statements to prospective buyers. The sale was abandoned shortly afterward. Eventually the photographs were tendered, or put up for private sale. As a result of the protest, an exchange was negotiated between Webb's and the Whanganui Regional Museum with funds from the museum, the Whanganui River Māori Trust Board, and the community. The museum now permanently houses the collection and has already

published some of the images in a book as part of an ongoing project to recuperate their histories and identities.¹⁸

The sale had come to the attention of Ken Mair because of the efforts that Webb's had made to promote the auction locally, hoping to generate as much interest as possible (a tactic auctioneers now often avoid). After the auction, Peter Webb commented to the press, "We have no intention of speaking to Mr. Mair. . . he's not welcome on our marae [appropriating the Māori term for sacred meeting ground in reference to the auction house] because of the way they went about it. They had every opportunity to talk to us in advance of the sale but they wanted to make a political point." As in the case of the Tūhoe feather cloak, Webb identified the negative effect of the activism as driving sales underground: "If it continues people who collect and have collections of this sort of material won't put it on the open market for fear of getting involved in this kind of kerfuffle" (quoted in Purdy 2001).

Running alongside disputes about how markets should be run, who should run them, and who should own taonga was a discussion about whether or not the photographs "were really" taonga if they were at the same time commodities created by Western technologies. At the heart of the auction dispute was the contested identity of a set of photographs made by a Pākehā photographer of Māori people. Mair told the media, "Our perspective is these photos are us and they're real to us. . . we just don't see ourselves for sale" (Quirke 2001, 9). At the same time, well-known intellectual property rights lawyer Maui Solomon and Ken Mair were quoted as saying that "auctioning photographs of your nineteenth century Māori ancestors is like selling your mother" (quoted in Quirke 2001). In response, Webb countered, "Photographs belong to the European culture, Māori never invented photographs and didn't invent the camera. It's just the imagery that they claim ownership of . . . the problem is with the image itself . . . Māori are now claiming that even photographs of the Whanganui river belong to them because the river belongs to them . . . it gets very tricky. . . It's not our job as fine art auctioneers to solve that problem" (quoted in Purdy 2001). Indeed, asked whether the sale of photographs and the images, particularly those of young, bare-breasted women, could be regarded as offensive, Webb said that he understood that the subjects had consented and believed that they had been paid to pose: "I think Partington found them fascinating subjects. I think a few people would find them offensive but they were typical, fashionable poses of the time" (quoted in Quirke 2001).

We can see that part of Mair's eventual success, besides having the upper hand in drama and publicity for his performance during the auction itself, was based in his extending the category of taonga (with the presumptions of sovereignty that it entails) to encompass the photographic images. The contestation that emerged over the status of the images was not only a political one over representation and representational technologies but also a contest over the framing of historical and present-day relationships between Māori and Pākehā. Mair's investing the photographs with ancestral spirit mapped the use of photographs in contemporary marae (he too mapped the auction salesroom onto the marae), where ancestors are embodied in photographic prints as much as in the figurative carvings that support the rib cage of the building, itself conceived of as the physical body of an ancestor. Materiality and substance are thus crucial in delineating the forms of sovereignty and entitlement that comprise value in the sale of taonga at auction.

Mere and the Duke of Windsor

A second example of auction intervention and activism concerns two greenstone mere (ceremonial clubs) from the Tainui tribe, which date back to the late 1700s and had previously belonged to the Duke of Windsor in England. After much agitation around their sale at auction, the two greenstone clubs, known as Wehiwehi and Kauwhata, were returned to Aotearoa/New Zealand, and eventually entered the custodianship of the Museum of New Zealand Te Papa Tongarewa in 2002.

The mere had originally been gifted by two prominent Māori (the fourth Māori king, Te Rata Mahuta Tawhiao Potatau Te Wherowhero, and King Movement leader Tupu Taingakawa Te Waharoa) to Edward, then Prince of Wales, at a large gathering of Māori iwi and hapū (groupings of extended families) in Rotorua in 1920. Presumably this was considered an official gift from Māori to the British Crown, aimed at maintaining connections between chiefly lineages, and consolidating power during the growing disenfranchisement and alienation of Māori from the settler state of New Zealand. After Edward abdicated the British throne in 1936, the line was blurred between personal property and property of the Crown and state. Evidently, the new Duke of Windsor considered the mere to be his private property, rather than Crown property, as they remained with him until he died. After the duke's death in 1972, his widow sold them, along with other objects from their estate, to Mohamed Al Fayed, the owner of Harrods, London. He in turn scheduled to auction the mere

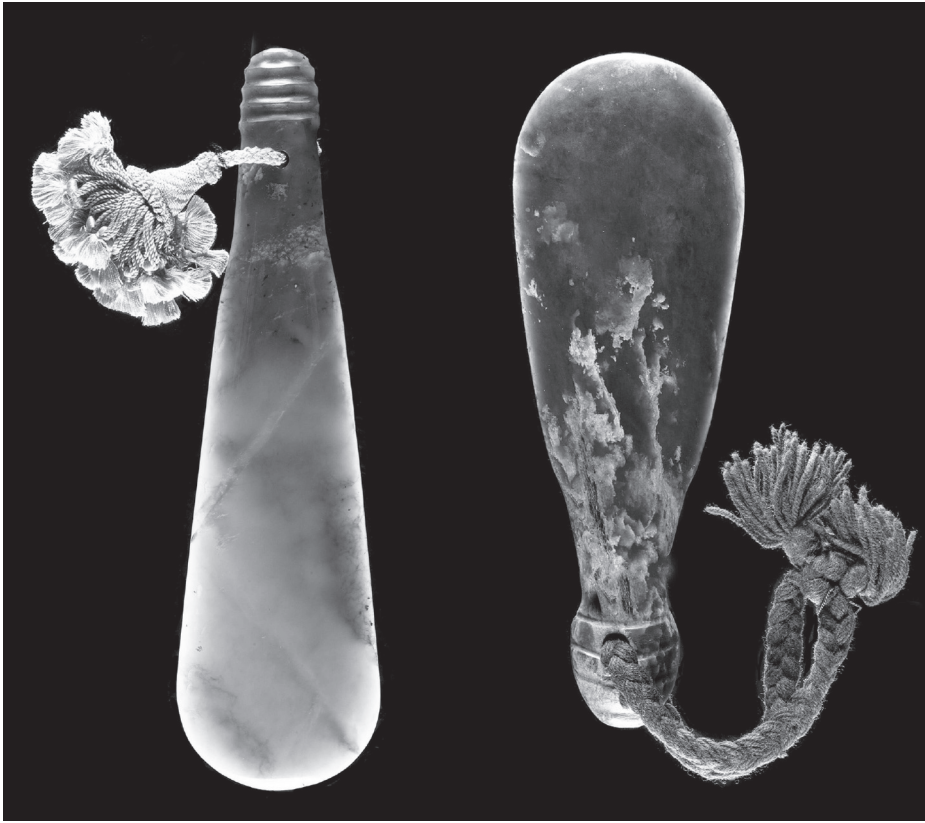


FIGURE 3. Kauwhata and Wehiwehi. Photograph owned by Richard Orzecki. Reproduced with permission and thanks.

in 1997. Three days before the auction, Princess Diana and Dodi Fayed were killed in a car accident and the auction was postponed. In 1998, the mere were auctioned at Sotheby's New York to raise funds for the Dodi Fayed International Charitable Foundation—ignoring requests from iwi in Aotearoa/New Zealand that they be returned, following traditional laws of reciprocity. Eminent historian Michael King, who had been asked to research the origin of the mere for Tainui tribe, said that during their exchange, one mere had been handed to the duke with the handle pointing toward him while the other one was handed with the handle pointing toward the donor, signifying that the clubs still belonged to Tainui and should be returned after the duke's death (Te Anga 1998a, 1).

Al Fayed's move to auction the mere in 1998 prompted agitation from prominent Māori politicians such as Tau Henare and Tukuroirangi Mor-

gan, who lobbied for the mere to be returned to Aotearoa/New Zealand. Morgan commented, “I cannot believe that the old people would have given them the taonga without a rider on them (that they be returned). Auctioning the mere breaches the spirit in which they were given” (Te Anga 1998b). This debate raised awareness and increased interest in the mere and, by extension, boosted the prices at auction. Prior to the auction, representatives from the Museum of New Zealand Te Papa Tongarewa refused to comment on the sale because they were fearful that any expression of interest would affect the outcome of the sale (*Evening Post* 1998). Representatives of Tainui felt that it was inappropriate to purchase the mere, as they had originally been given without an accompanying monetary transaction (Te Anga 1998a).

Te Papa eventually lost the mere in an auction at Sotheby’s New York to Dunbar Sloane, who bid NZ\$88,000 (eight times over the estimate) by telephone on behalf of a local collector who wished to remain anonymous (*Dominion* 1998). After the auction, public appeals were made to the collector to return them to the tribe. While commentators such as Tukuroi-rangi Morgan said that they were pleased a “Kiwi” had purchased the mere, they still felt it would be more appropriate for them to be “returned in the way they were given” (Te Anga 1998a). After a lengthy and often fraught period of somewhat pressured negotiation with the private collector, in late 2001, Te Papa, in negotiation with tribal authorities, secured the taonga from the private collector for NZ\$143,000, using government funds.

Unlike the case of the Partington photographs, the status of the mere as taonga was not in question—rather, it was their recognition as particular kinds of taonga that demanded that they be exchanged in a particular manner. At every level, the nature of their transaction at auction and, subsequently, the nature of entitlement and obligation of their owners was challenged and reconfigured.

Commenting on both of these auction interventions, and after reading an earlier draft of this article, Te Hope Hakaraia, an authorized spokesman for Ngāti Wehiwehi iwi and a descendant of the ancestors Wehiwehi and Kauwhata, wrote to me:

Firstly, while Ken Mair, from the Whanganui iwi is widely acknowledged as an “activist,” he is regarded by iwi Maori as a “hero” as he has consistently stood up to publicly defend/agitate for iwi Maori rights (not just his own iwi!) and to bring to the nation’s attention, critical issues around Maori cultural and

taonga ownership rights. Ken descends from a particularly powerful ancestor whose deeds in warfare literally saved one of my other iwi from decimation!

Secondly, as regards the specific involvement of Ngati Wehiwehi and Ngati Kauwhata in the negotiations regarding the return of the taonga mere, I can say that we were really hopeless bystanders, in a position of powerlessness, as international debate raged on about these taonga, in a deliberate beat-up by the auctioneers! We knew (and are indeed descended from) the very ancestors whom the taonga were named after. Our people were key principals at the time the taonga were first gifted to the Prince of Wales—and to our people, the gifting of the taonga was a very significant and honourable act to remind the Crown of the special link that was created between iwi Maori and the Crown, when the Treaty of Waitangi was signed by Queen Victoria's representatives in 1840. We needed to demonstrate that we were indeed loyal partners and citizens with the Crown and also to signal our plight to the Crown that iwi Maori were quickly being delegated to second class citizenship in their own country. Indeed at that time iwi Maori were being told in no uncertain terms, that the Maori race (population in significant decline) would eventually be extinguished as it became assimilated into the mainstream population. (Iwi Maori are not so naive now and it is somewhat ironic that the future of our country will rely heavily on our relatively youthful iwi Maori population to support the more ageing Pakeha population—Maori now number about 15 percent of the total population of 4 million).

Thirdly, I would like to comment about the special role that “Te Papa” has played in enabling our people of Ngati Wehiwehi and Ngati Kauwhata to be united with these ancestral taonga. We are extremely grateful for the way in which “Te Papa” has enabled us to engage with our taonga, and to continue to share with us the “guardianship/usage” of these taonga. We acknowledge that as an agent for the state, and pioneer bi-cultural curator proponent, “Te Papa” does need to be very mindful about its dealings and sensitivities regarding taonga Maori—to a certain degree, iwi Maori are now also defenders of “Te Papa” as “Te Papa” strives to balance the need for iwi Maori to engage meaningfully with their taonga, with the need to maintain corporate responsibilities/requirements. (pers comm via e-mail, 14 Nov 2006, reproduced with permission)

As Te Hope Hakaraia noted, Māori have successfully used alternative models of both the substance and form of exchange to impact the marketplace and influence the outcome of sales and the continuing process of valuation for taonga in a context where previously they have often felt powerless. Salient to the sale of the mere was the presence and influence of the Museum of New Zealand Te Papa Tongarewa. It is usually rather

difficult to draw out into the public the interrelationships between museums and markets as institutional frameworks that collaborate to produce and promote value, because each of these institutions is more commonly invested in maintaining themselves as separate from the other. However, in Aotearoa/New Zealand, Māori curators are increasingly attempting to mold the market according to very different criteria than those followed by dealers, auctioneers, collectors, and curators at institutions such as the Metropolitan Museum of Art in New York (see Hoving 1975; Muscarella, 2000; Watson and Todeschini 2006).

MUSEUM AND MARKET

In bidding for taonga, whether in Auckland, New York, or Paris, museum curators maintain the form of the market and are complicit in sales, yet also profoundly affect the process of valuation and transaction. The philosophy of taonga, as it has been developed as an explicit substitute for commodity, defines these market engagements. By definition, all objects in Aotearoa/New Zealand museums (and not just the Māori ones) are classified as taonga—they are inalienable items of cultural property and heritage (see Museum of New Zealand 2004). They are objects that reference complex relations—of national collection, of citizenship, and of local identities. They are objects of knowledge with important genealogies. As Paul Williams commented, “Te Papa promotes itself as a vessel in both senses of the word: a container for valued treasures, and a vehicle for collective understanding” (2005a, 83).

The Māori presence in the Museum of New Zealand Te Papa Tongarewa is defined as one part of the museum and also encapsulates the entire institution, again following the tensions and paradoxes of biculturalism. The museum is arguably one of the highest-profile bicultural institutions in the country, and is both symbol and agent in many discussions about biculturalism, sovereignty issues, and cultural representation (see, eg, O’Regan 1997). Opening in 1998 to fanfare and criticism, Te Papa Tongarewa is one of the few institutions in the country to have been expressly built from the bottom up with a bicultural mandate. Every level of the building’s design and operation has been considered in these terms; the museum is thus perceived to be publicly accountable to the tensions and contestations that such a political ideology engenders. Paul Tapsell noted that “finding balance between customary values (lore) and policy (law) is the new and exciting challenge in today’s museums as they attempt to give meaning

to the Treaty principle of partnership” (2005, 266). Since its opening, much commentary has focused on the aspirations of the museum to be a properly bicultural space and on the compromises and alterations of both Māori and Pākehā culture that are represented within the museum’s walls (see Williams 2001, 2003, 2005a, 2005b; Henare 2004; Tapsell 2005).¹⁹

The museum is a kind of experiment in representing the political and cultural form of the nation, but as an active institution, it also wields agency in the definition of how these conceptual domains are delineated and to what end. This delineation is increasingly extended into the marketplace, as dealing with the growing value of Māori objects both nationally and internationally has become a priority for some curators.

The market is a troubling context for Māori curators at Te Papa, is associated with negative cultural values, and is generally viewed as antithetical to Māori cultural practice. Māori curators most commonly talk about the market in terms of trying to take things away from it. To this end, they enter auctions as collectors and are deeply engaged with the market process of valuation—bidding, fending off dealers, protecting tribal information and interests, and so on. They are also eager to interrogate the bicultural mandate of the museum in relation to such processes of valuation and to develop valuation policies and procedures that (again paradoxically) do not necessarily rely on the market activities they also participate in (see Geismar 2004). At the same time they are conscious that in order to fulfill their mandate to protect and conserve taonga, they must position themselves as buyers, and participate in sales and processes of valuation. Many of the paradoxes of the market are lived out by curators in their daily working lives.

As the cases in this article demonstrate, the intervention of curators into market sales has a lasting effect on the configuration of the marketplace and on the ways in which dealers and collectors have responded to the debates and politics of the marketing of taonga. Not only do curators become collectors, perhaps even bidding up objects competitively in auction sales, but the impact of museums on the marketplace is also filtering into the language of commerce. As much as curators appropriate the language of the market, the museological discourse of repatriation and of cultural heritage increasingly underlies the rhetoric of the marketplace. Many dealers and collectors now justify their work by asserting that they are doing a public service by keeping artifacts in Aotearoa/New Zealand, encouraging their return, and preserving and conserving important cultural heritage (which will one day end up in museums). One auctioneer relayed to me how in

response to the protests of several Māori who had attended a particular auction to criticize the sale of important tribal pieces, a notable collector stood up and rebutted the protestors. He asserted that it was thanks to the passions and finances of Pākehā collectors that many taonga have been conserved and protected, and indeed remained in Aotearoa/New Zealand (Ross Millar, pers comm, July 2004).

The appropriation by dealers of museum discourses such as “conservation” and “preservation” has also been expanded to include the term “repatriation” to justify bringing taonga to auction. For example, in a preface to one of his auction catalogs, auctioneer Dunbar Sloane drafted a dealer’s manifesto of sorts: “I, Dunbar Russell Sloane (personally), have been actively involved for at least 30 years in repatriation of Māori artifacts from Europe, sometimes 4 or 5 important items at a time (once a year). This involved the placement of advertisements in publications such as the *Dublin Times*, *Liverpool Echo*, and other local papers of many UK seaports. It also required frequenting auctions, car boot sales, and visiting many antique shops, and primitive art dealers” (2002, 1). It is clear, then, that provenance, which in market context is increasingly analogous to a form of genealogy (Geismar 2001, 36), becomes a crucial ground of negotiation in the marketplace for both Māori and dealers/auctioneers. As the cases of Partington’s photographs and Dunbar Sloane’s collecting practices highlight, how an object is identified—and in particular, which constituency has the most authority to speak for a taonga—will determine how it can be transacted.

CONCLUSION

At a Sotheby’s auction of African and Oceanic art I attended in New York City in May 2006, bidding was fierce and prices high for all of the Pacific artifacts. Indeed, I encountered two anthropologists who left after the sale, only half joking that they were going home to revalue their collection! Most of the Māori pieces were sold over the telephone to anonymous bidders. I knew specifically that several of them were purchased by people from Aotearoa/New Zealand, leading me to speculate that the bidding war around certain carved feather boxes and heitiki (highly valued greenstone or bone adornment) was made by New Zealanders bidding against one another. It is evident that despite the idiosyncrasies of the Aotearoa/New Zealand auction market, we can increasingly witness its influence in the international marketplace. This is very much a case of

a local market becoming global, rather than a global market becoming local.

The political paradox of biculturalism—an ideology that relies on both the fusing and opposition of two models of culture—is also present in the marketplace, a public arena that exposes how value is intrinsically linked to sovereignty. The more taonga are commodified, the greater the polarization of models of value that surround them. Despite the assertion that market trade is anathema to the customary exchange of taonga, the marketplace is an arena that increasingly produces taonga. In addition to the cases described above, other examples of this can be found in the claiming by Māori of the radio spectrum as taonga in the face of a government auction of the airwaves (Waitangi Tribunal 1990), and the reallocation of jade as Māori-owned pounamu (New Zealand greenstone) on the South Island in the face of mining activity and exploitation (Waitangi Tribunal 1991).

Unlike pounamu or the radio spectrum, there is less debate over the classification of Māori artifacts in the antiquities market as taonga. In fact, Pākehā collectors are as invested as Māori in these artifacts being formally considered taonga, although they also attempt to control the terms by which taonga are defined (for instance, removing provenances to establish generic rather than specific identities in order to diminish the potential for Māori ownership claims). The fact that the radio spectrum and a carved figure may be understood in the same frame of reference connects these forms to the entanglement of economic and political entitlement and the manifestation of Māori identity as defined in the context of national cultural property legislation.

Idealized models of exchange and of property relations have often been used by anthropologists to discuss fundamental social, political, and conceptual differences across cultures. Commodities are associated with the United States and Europe in the same paradigmatic way that gifts are associated with Māori or Melanesians. However, what is more interesting to me is the intervention that each of these categories can make into the other. The auction salesroom has become a place in which dynamically opposed models of value and exchange are increasingly entangled, affecting in turn the very configuration of the institution that brought them all together—the marketplace. Māori ideologies of taonga, discourses of sovereignty over property, and concepts of alterity, are now a part of the marketplace, drawing dealers and collectors to participate not only in this discourse, but also in a guided process of valuation that has changed the commodity potentials of all sorts of cultural artifacts in Aotearoa/New

Zealand. As the case of the New York auction shows, such influence has the potential to spread beyond the national framework.

The emotional responses, political contestations, and subsequent negotiations that have emerged within some sales of taonga Māori at auction show us that many complicated understandings of value, exchange, and broader political relationships are at stake in the marketplace. The concept of taonga may be used to critique stereotypical representations of commodities and commodity exchange and to serve as a blueprint for a new form of market engagement and interaction. Analyzing the market in Aotearoa/New Zealand gives us a new set of tools to understand the valuation of culture-as-property on both the national and international stage.

* * *

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Notes

1 Out of respect to iwi and hapū elders and authorities on Māori custom and protocol, and acknowledging my own status as a non-Māori, sometime guest in Aotearoa/New Zealand, I would like to emphasize here that I make no claim to speak for or represent definitive Māori perspectives or understandings of the marketplace, and acknowledge that these are tremendously diverse and wide-ranging. Rather, I highlight how different models of value have emerged in public discourse in the complex cultural field of the marketplace, and how the concept of taonga is increasingly used in this context to promote an alternative model of exchange in an often-fraught public arena. While there are many different ways of engaging with the marketplace, I focus here on specific polarizations around several highly publicized sales, and their political and economic effect, in particular as they are filtered through the dual public context of marketplace and the museum.

2 The model of biculturalism, in relation to the Treaty of Waitangi in Aotearoa/New Zealand (discussed in the latter part of this article), is based on the relationship between the two treaty signatories—Māori and Pākehā. The term Pākehā refers to New Zealanders descended from European settlers, although it has also increasingly come to be used as a term of self-identification by many migrant New Zealanders. With regard to biculturalism, increasing attention has been drawn to the fact that, as a model, it explicitly ignores more recent immigrant communities to Aotearoa/New Zealand, most notably the substantial numbers of Pacific Islanders, and an even more substantial number of Asian residents and citizens. There is ambivalence as to whether the term Pākehā extends to these and other migrant groups, or whether or not the term has pejorative connotations (see King 1985; 1999).

3 Giorgio Agamben noted that this tension is built into the idea of sovereignty. There is a fundamental paradox of sovereignty, following Carl Schmitt's definition: "sovereign is he who decides on the state of exception" (quoted in Agamben 1998, 11). It is the paradox that lies therein as Māori define themselves as entitled through their exceptional status as the indigenous people of Aotearoa/New Zealand and also define the boundaries of such exceptionalism as encompassed by the nation-state (see Povinelli 2002). Indigenous sovereignty is modeled in relation to culture within the nation-state, rather than in relation to separate formulations of the nation, as is the case in Canada and the United States (I thank Paul Williams for this last observation).

4 I thank Jade Tangihua Baker (Ngāti Awa) for this concept.

5 As a result of my 2001 publication, I was invited to Wellington by the Māori team of the Museum of New Zealand Te Papa Tongarewa. I attended a meeting at the museum, which was considered something of a crisis summit in response to concerns that the growth in market prices would result in a rise of international trade in Māori artifacts, ultimately widening the gap between Māori communities and their taonga. In conjunction with the Senior Curator Māori, Huhana Smith, I developed a research project to investigate the configuration of the auction market in Aotearoa/New Zealand, with the explicit intent of reassessing the museum's role in the marketplace and museum policies of valuation for their Māori collections. Besides working in the Museum of New Zealand Te Papa Tongarewa, I interviewed auctioneers, dealers, and curators in Auckland and Wellington in an attempt to understand the complex and emotional underpinnings of the sale of taonga Māori. The present article, drawing on this research, is therefore something of a sequel to my previous project and publication.

6 A survey of auction results made by Jennifer Hambleton of Waikato University showed that prices rose steadily between 1993 and 2003. Hambleton has commented that "the NZ market for Maori artifacts is arguably being influenced by network effects arising from export restrictions which have resulted in a large number of artifacts being acquired and displayed in museums around the coun-

try” and emphasizes the validation that museum display provides for market values (2004, 28). She also noted, as I also discovered anecdotally, that there was little evidence of a black market or of sustained smuggling during the period of increased regulation and regulatory enforcement (Hambleton 2004, 30).

7 Schedule 4 of the Protected Objects Act 1975 lists nine categories of protected Aotearoa/New Zealand objects: archaeological, ethnographic, and historical objects originating outside the country but relating to Aotearoa/New Zealand; art objects including fine, decorative, and popular art; documentary heritage objects; taonga tūturu (meaning objects that relate to Māori culture, history or society); natural science objects; archaeological objects of Aotearoa/New Zealand; numismatic and philatelic objects (such as medals, coins, and stamps); science, technology, industry, economy, and transport objects; and social history objects (see Te Manatū Taonga 2007b). The act was updated with the specific intention of facilitating Aotearoa/New Zealand’s becoming a signatory to the 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, and the 1995 UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects, to which New Zealand became a signatory on 1 May 2007. Another primary focus of the amendment was to assess the ownership and custody of newly found taonga Māori, which under the old act become automatically the property of the Crown—a co-option directly against the principles of the Treaty of Waitangi, as currently upheld by the Waitangi Tribunal.

8 A taonga tūturu is defined as an object that “(a) relates to Maori culture, history, or society; and (b) was, or appears to have been— (i) manufactured or modified in New Zealand by Maori; or (ii) brought into New Zealand by Maori; or (iii) used by Maori; and (c) is more than 50 years old” (Te Manatū Taonga 2007a). As the Web site of Pouhere Taonga/New Zealand Historic Places Trust comments, under the heading, “What will the change mean for Maori taonga”: “The amended Act improves the process for transferring ownership of newly found Maori cultural objects, or nga taonga tuuturu, from the Crown to individuals and groups. The process of claiming ownership through the Maori Land Court will be simplified. . . . The processes for trading privately owned taonga and becoming a registered collector will not change” (Pouhere Taonga 2006).

9 According to government statistics, there are approximately 2,560 registered artifact collectors, including both individuals and organizations, and approximately 5,100 registered artifacts on file (Ailsa Cain, Adviser, Heritage Operations, NZ Ministry for Culture and Heritage, pers comm, 21 Nov 2004). As of 10 August 2007, there were only fifteen licensed traders of privately owned artifacts in Aotearoa/New Zealand, according to the government (Te Manatū Taonga 2007c). No doubt there are greater numbers of trades and traders that go unpublicized or unregistered. This covert trade should be the topic of a separate investigation. For obvious reasons, there is little more than anecdotal evidence

for these kinds of transaction, which makes sustained academic analysis difficult. For the purposes of my analysis, I focus on publicly recorded transactions and the public discussions and disputes that attended them.

10 Some other examples of this are Foster 1998 on money in Papua New Guinea, Saunders 1999 on Amerindian attitudes to gold, Taussig 1980 on commodity fetishism in Colombian mines, and Walsh 2003 on emeralds in Madagascar.

11 Mauss wrote that taonga “connotes everything that may be properly considered termed possessions, everything that makes one rich, powerful, and influential, and everything that can be exchanged, and used as an object for compensating others” (1990, 10).

12 It is out of the remit of this article to give a lengthy overview of the history of ways in which taonga have been described and theorized, but for a comprehensive overview see Tapsell 1997; see also Mead 1984, 1990, 2003; and Barclay 2005. The use and meaning of taonga has shifted significantly over the years, linking ancestral resources to intellectual property rights discourse. Rather than tracking the history of the term (which would be an entire paper in itself), here I am more concerned with the emergence of a particular meaning of taonga in relation to the marketplace. As I indicate, the genealogy of this lies in the ways in which taonga have been significantly connected to concepts of sovereignty, at least since the signing of the Treaty of Waitangi.

13 In addition to these three ancestral aspects, Tapsell identified taonga as linked to key concepts of whakapapa (genealogy), mana (prestige/authority), kōrero (oratory), karakia (recitation), mauri (life essence), and wairua (essence of being) (1997, 329–331). Tapsell compared the biography of taonga within communities to the flight of the tui bird, weaving in and out of oral history and genealogy. Outside of communities, he compared the passage of taonga through different environments—such as museums and auction houses—to the flight of a comet (1997).

14 “The Treaty consists of a preamble and three articles. Article I signs the rights of sovereignty in New Zealand over to the British Crown. In the Maori version, something quite different (*kawanatanga*, or governorship) was granted to the Crown. Article II reserved Maori *tino rangatiratanga*—full sovereign authority—over their lands, forests, fisheries and ‘*me o ratou taonga katoa*’ ([broadly translated as] everything they valued). Article III stated that everyone in New Zealand would have the rights and privileges of British subjects” (Williams 2005a, 95).

15 This translation was provided by Paul Williams. I use it with the acknowledgment that there are other possible translations, which will vary in nuance.

16 These principles have been tentatively outlined by the Waitangi Tribunal as the principle of the governments right to govern, as recognized and acknowledged by Māori tribes; the principle of tribal self-regulation, especially around

tribal resources; the principle of partnership and good faith; the principle of active participation in decision-making; the principle of active protection of Māori by the Crown; the principle of redress for past grievances (condensed from O'Regan 1997, 19–20).

17 Philosopher Kwame Anthony Appiah outlined this view in his book *Cosmopolitanism: Ethics in a World of Strangers* (2006). In delineating cultural property in terms of “common humanity” and “world heritage,” he undermined the historical and political specificity of claims to title, property forms, and ownership of cultural property. In doing so, he also undermined the concept of cultural property itself as a useful category in international law.

18 Many of the images had already been published in *Te Awa: Partington's Photographs of Whanganui Maori* (Partington 2003). However, the publication of this book occurred very soon after the sale, and before the Whanganui Museum had a chance to fully research the collection and integrate it back into the community. Because of the tensions raised by this previous publication, I do not reproduce any of the images here.

19 For instance, there was much debate over the development of the Te Papa marae—Rongomaraeroa—which was designed by celebrated Māori carver Cliff Whiting. The marae simultaneously brings traditional Māori protocol into the museum and contravenes it: visitors are not required to take their shoes off in the marae; women are permitted to speak publicly on the marae; and food and drinks are served there during museum functions. Thus, the marae is a new kind of Māori space. The film *Getting to Our Place* includes scenes in which this issue is heatedly discussed by museum managers (Preston and Cotrell 1999). Tapsell 2005 provides a detailed discussion about the formation of “urban marae” in national museums in Aotearoa/New Zealand; he has criticized, in particular, the ways in which biculturalism eclipses the rights of tangata whenua—the people of the land—in favor of a more generic, nationalistic construction of Māori identity.

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Abstract

This article discusses the auction market for certain kinds of taonga Māori (Māori treasures or cultural property). The social, political, and economic tensions that emerge from the national regulation of the auction market for Māori artifacts are framed by the complex political dynamic in Aotearoa/New Zealand of biculturalism: a Treaty-based political contract between Māori (indigenous people of Aotearoa) and Pākehā (settlers in colonial New Zealand, primarily of European descent), subject to continual negotiation. The antiquities market, which includes Māori artifacts, is carefully regulated by the government in keeping with (ever-shifting) understandings of Crown sovereignty over national cultural heritage. Interventions by Māori activists and curators complicate this notion of sovereignty and assert a primacy of indigenous title. I argue that these idiosyncratic interventions, within the political context of biculturalism, alter the very form of the market, undermining perceived dichotomies between taonga and commod-

ity, indigenous and market values. Eventual auction results reflect a synthesis of complex intercultural negotiation and opposition between activists, dealers, auctioneers, and collectors. The case studies here raise important issues around the relationship among value, social and political relations, and the form and substance of the marketplace.

KEYWORDS: market, auction, taonga, commodity, Aotearoa/New Zealand